10 May 2001

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Meeting of States Parties
Eleventh Meeting
New York, 14-18 May 2001

Level of compensation for judges ad hoc

Prepared by the Tribunal

1. The level of remuneration of the members of the International Tribunal for the Law of the Sea was established by the Fourth Meeting of States Parties in 1996. The maximum annual remuneration of a member of the Tribunal was revised to US$ 160,000 at the Ninth Meeting of States Parties in 1999. The remuneration was based on the comparator of the emoluments of a member of the International Court of Justice (ICJ) as per the decision of the Meeting of States Parties at its Fourth Meeting to adopt the principle of "maintaining equivalence with the remuneration levels of judges of the ICJ".

2. According to article 18, paragraph 4, of the Statute of the Tribunal, judges ad hoc "shall receive compensation for each day on which they exercise their functions." Pursuant to article 18, paragraph 5, of the Statute of the Tribunal, compensation for judges ad hoc is determined by the Meeting of States Parties.

3. The Tribunal is of the opinion that it should ensure consistency between the system used to compensate ad hoc judges of the Tribunal and the system of remuneration applicable to the elected members of the Tribunal, calculated as follows:

- Annual allowance: 1/365th of US$ 53,333.33 for each day of participation and for each day of preparatory work;
- Special allowance: 1/220th of US$ 53,333.33 for each day of participation and for each day of preparatory work;
- Daily subsistence allowance, at the daily rate applicable to Hamburg for the days spent in Hamburg for the purpose of the case.

The President of the Tribunal is responsible for deciding the number of days necessary for judges ad hoc to participate in the work of the Tribunal related to the cases for which they have been appointed and their attendance at the seat of the Tribunal, in Hamburg.

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4. In its budget proposal for 2002, the Tribunal included a provision of US$ 27,263, to meet the compensation and travel expenses for one judge ad hoc for three weeks of meeting time and two and a half weeks for preparatory work.

5. The Tribunal recommends that the Meeting of States Parties adopt the principle that compensation for judges ad hoc is based on the terms outlined above.